



September 25, 2019

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue,
NW, Suite WJCN 5315
Washington, DC, 20460
Email:
gottesman.larry@epa.gov

FOIA REQUEST

To Whom It May Concern:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, we request the following:

- All email correspondence to, from or copied from David Cozad, Justina Fugh, and Kevin Minoli, in their capacities as the agency's Designated or Alternate Agency Ethics Officials, between Jan. 1, 2018, and the date this request is ultimately fulfilled, containing the following keyword: "Pledge"

I would like to receive the information in the following format: electronic.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. This information is being sought on behalf of ProPublica, an independent non-profit news organization, for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities, specifically understanding of government operations as it relates to the consumer complaints of the referenced business.

As a non-profit journalistic entity, ProPublica does not have the same commercial interests of other news organizations.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request.

I also ask that this request be expedited under terms of the Freedom of Information Act. Expedited processing is allowed for requests that show a "compelling need,"¹ and ProPublica is primarily engaged in disseminating information, with an urgency to inform the public concerning federal government activity.

Under this provision, I ask that expedited processing be allowed with a certification of "compelling need." As the Act states, you have 10 days to decide whether to grant expedited processing.

Our rationale for expedited processing under the "compelling need" stipulation is as follows: The Office of Government Ethics and the Government Accountability Office have repeatedly investigated the ethics office functions of the EPA. The resulting determinations by both the ethics office and inspectors general underscore lingering public interest questions about the efficacy and legal requirements of ethics pledges and the enforcement of potential violations. These matters are at the core of the Ethics in Government Act and speak to the mission and legal guidance of ethics pledges. I look forward to your reply, as the statute requires.

Thank you for your assistance.

Sincerely,

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¹ The Freedom of Information Act, 5 U.S.C. § 552(a)(6)(E)(i)(I), (II), <https://www.justice.gov/oip/freedom-information-act-5-usc-552>